

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF DELAWARE**

-----X	:	
DAVIS INTERNATIONAL, LLC, HOLDEX,	:	
LLC, FOSTON MANAGEMENT, LTD, and	:	
OMNI TRUSTHOUSE, LTD,	:	
	:	
Plaintiffs,	:	
v.	:	Case No. 04-1482-GMS
	:	
NEW START GROUP CORP., VENITOM	:	
CORP., PAN-AMERICAN CORP., MDM	:	
BANK, URAL-GORNO METALURAGICAL	:	
COMPANY, EVRAZ HOLDING, MIKHAIL	:	
CHERNOI, OLEG DERIPASKA, ARNOLD	:	
KISLIN, MIKHAIL NEKRICH, and	:	
ISKANDER MAKMUDOV,	:	
	:	
Defendants.	:	
-----X	:	

**NOTICE OF CROSS-APPEAL**

Notice is hereby given that Defendants New Start Group Corp., Venitom Corp., MDM Bank, Ural-Gorno Metalurgical Company, Evraz Holding, Mikhail Chernoi, Oleg Deripaska, Arnold Kislin, Mikhail Nekrich, and Iskander Makmudov cross-appeal to the United States Court of Appeals for the Third Circuit from the Order of the District Court of the District of Delaware dated March 29, 2006 denying Defendants' Motion to Enjoin Plaintiffs from Refiling this Action (DI No. 103).

Attorneys for Defendants Arnold Kislin:

/s/ Charles M. Oberly, III  
Charles M. Oberly, III (ID No. 743)  
Karen V. Sullivan (ID No. 3872)  
Oberly, Jennings & Rhodunda, P.A.  
1220 Market Street, Suite 710  
PO Box 2054  
Wilmington, DE 19899  
(302) 576-2000

Lisa C. Cohen  
Schindler Cohen & Hochman LLP  
100 Wall Street  
15<sup>th</sup> Floor  
New York, NY 10005  
(212) 277-6300

Lawrence S. Goldman  
Elizabeth Johnson  
The Law Offices of Lawrence S.  
Goldman  
500 Fifth Ave., 29<sup>th</sup> Floor  
New York, NY 10110-2900  
(212) 997-7499

Attorneys for Defendants New Start Group  
Corp. and Venitom Corp.:

/s/ Charles M. Oberly, III

Charles M. Oberly, III (ID No. 743)  
Karen V. Sullivan (ID No. 3872)  
Oberly, Jennings & Rhodunda, P.A.  
1220 Market Street, Suite 710  
PO Box 2054  
Wilmington, DE 19899  
(302) 576-2000

Richard J. Schaeffer  
Peter J. Venaglia  
Laura D. Sullivan  
Dornbush, Schaeffer, Strongin &  
Weinstein, LLP  
747 Third Avenue, 11<sup>th</sup> Floor  
New York, NY 10017  
(212) 759-3300

Attorneys for Defendant Oleg Deripaska:

/s/ Collins J. Seitz, Jr.

Collins J. Seitz, Jr. (ID No. 2237)  
Kevin F. Brady (ID No. 2248)  
Connolly Bove Lodge & Hutz LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, DE 19899  
(302) 658-9141

Rodney F. Page  
Bryan Cave LLP  
700 13th Street, N.W.  
Washington, D.C. 20005-3960  
(202) 508-6002

Michael G. Biggers  
Bryan Cave LLP  
1290 Avenue of the Americas  
New York, NY 10104  
(212) 541-2000

Attorneys for Defendant Evraz Holding:

/s/ William M. Lafferty

William M. Lafferty (ID No. 2755)  
Morris, Nichols, Arshat & Tunnell  
Chase Manhattan Centre, 18th Floor  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 575-7341

David H. Herrington  
Vitali Rosenfeld  
Cleary Gottlieb Steen & Hamilton LLP  
One Liberty Plaza  
New York, NY 10006  
(212) 225-2266

Attorneys for Defendant MDM Bank:

/s/ Richard I.G. Jones, Jr.

Richard I.G. Jones, Jr. (ID No. 3301)  
Ashby & Geddes  
222 Delaware Avenue, 17th Floor  
P.O. Box 1150  
Wilmington, DE 19899  
(302) 654-1888

Joel B. Kleinman  
David H. Greenberg  
Dickstein Shapiro Morin & Oshinsky  
LLP  
2101 L Street NW  
Washington, DC 20037-1526  
(202) 785-9700

Attorneys for Defendant Ural-Gorno  
Metallurgical Company:

/s/ Charles M. Oberly, III

Charles M. Oberly, III (ID No. 743)  
Karen V. Sullivan (ID No. 3872)  
Oberly, Jennings & Rhodunda, P.A.  
1220 Market Street, Suite 710  
PO Box 2054  
Wilmington, DE 19899  
(302) 576-2000

William H. Devaney  
Venable LLP  
405 Lexington Ave, Floor 62  
New York, NY 10174  
(212) 307-5500

Attorneys for Defendant Iskander  
Makmudov:

/s/ Charles M. Oberly, III  
Charles M. Oberly, III (ID No. 743)  
Karen V. Sullivan (ID No. 3872)  
Oberly, Jennings & Rhodunda, P.A.  
1220 Market Street, Suite 710  
PO Box 2054  
Wilmington, DE 19899  
(302) 576-2000

William H. Devaney  
Venable LLP  
405 Lexington Ave, Floor 62  
New York, NY 10174  
(212) 307-5500

Attorneys for Defendant Mikhail Chernoi:

/s/ Charles M. Oberly, III  
Charles M. Oberly, III (ID No. 743)  
Karen V. Sullivan (ID No. 3872)  
Oberly, Jennings & Rhodunda, P.A.  
1220 Market Street, Suite 710  
PO Box 2054  
Wilmington, DE 19899  
(302) 576-2000

Brian Maas  
Cameron A. Myler  
Frankfurt Kurnit Klein & Selz PC  
488 Madison Avenue, 9th Floor  
New York, NY 10022  
(212) 980-0120

Attorneys for Defendant Mikhail Nekrich:

/s/ Charles M. Oberly, III  
Charles M. Oberly, III (ID No. 743)  
Karen V. Sullivan (ID No. 3872)  
Oberly, Jennings & Rhodunda, P.A.  
1220 Market Street, Suite 710  
PO Box 2054  
Wilmington, DE 19899  
(302) 576-2000

Paul R. Grand  
Edward M. Spiro  
Morvillo, Abramowitz, Grand, Iason &  
Silberberg, P.C.  
565 Fifth Avenue  
New York, NY 10017  
(212) 856-9600